IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

Crl.Rev.Pet.No. 4564 of 2006()

CRA.620/2005 of ADDL.SESSIONS COURT (ADHOC)-II, KOTTAYAM
CC.1472/2003 of JUDL. MAGISTRATE OF FIRST CLASS-I, KOTTAYAM

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REVN. PETITIONER: PETITIONER-APPELLANT-2ND ACCUSED

V.K.SREENIVASAN,
MANAGING PARTNER, HOTEL MONARCH,
MANARCADU (NITHYANAND HOUSE, KODIMATHA ROAD,
KOTTAYAM-1).

BY ADV. SRI.MATHEW JOHN (K)
SRI.SUJESH MENON V.B.

RESPONDENTS: COMPLAINANT AND STATE

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1. K.O.CHACKO, PROPRIETOR,
CENTRAL FINANCE, MACHEEL BUILDING,
G.S.ROAD, KOTTAYAM-1.

2. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.K.S.SIVAKUMAR FOR R2
SRI.V.B.PREMACHANDRAN
SRI.P.K.SIVADASAN NAIR
SRI.K.N.GOVINDANKUTTY MENON
SRI.S.MADHAVAN NAIR
SRI.GNR.UNNITHAN

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 04/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. NO. 2579 of 2007

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Dated, this the 4th day of July 2007

ORDER

The accused in S.T.C. 1758 of 1997 on th**e file** of the J.F.C.M, Kuthuparamba for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A 7383/07 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,

(JUDGE)

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